

FILED

FILED

JUN 19 2008

UNITED STATES COURT OF APPEALS

JUN 16 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DARRYL E. BROWN,

No. 08-15226

Plaintiff - Appellant,

D.C. No. CV-07-04280-CRB
Northern District of California,
San Francisco

v.

ELOY MEDINA, Correctional and
Rehabilitation,

ORDER

Defendant - Appellee.

On May 13, 2008, this court ordered appellant, within 21 days, to pay the filing fees and show cause why the judgment in this appeal should not be summarily affirmed. The order warned appellant that failure to pay the fees and to show cause would result in the automatic dismissal of the appeal by the Clerk of the Court. To date, appellant has not complied with the court's order. Accordingly, this appeal is dismissed for failure to prosecute. *See* 9th Cir. R. 42-1.

KW/MOATT

This order served on the district court shall act as and for the mandate of this court.

FOR THE COURT:

Molly Dwyer
Clerk of Court

By: Kathryn E. White
Motions Attorney/Deputy Clerk
9th Cir. R. 27-7
General Orders/Appendix A